

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DR. MANUAH MANDY LIN,	:	CIVIL ACTION
	:	
Plaintiff,	:	02-3612
	:	
v.	:	
	:	
	:	
ROHM AND HAAS COMPANY,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this day of February, 2004, upon consideration of the Plaintiff's Motion for Reconsideration (Document No. 43) and Defendant's response thereto (Document No. 48), it is hereby ORDERED that Plaintiff's Motion is GRANTED in part and DENIED in part as follows:

1) Plaintiff's Motion for Reconsideration of Order granting Summary Judgment on Plaintiff's Retaliation Claim regarding her Right to Publish is DENIED.

2) Plaintiff's Motion for Reconsideration of Order granting Summary Judgment on Plaintiff's Breach of Contract Claim regarding Compensation for Services Provided by Plaintiff is GRANTED.¹

¹ District courts will grant reconsideration "when there has been an intervening change in the controlling law, when new evidence has become available, or when there is a need to correct a clear error or prevent manifest injustice." Burger King Corp. v. New England Hood And Duct Cleaning Co., 2000 U.S. Dist. LEXIS 1022 (E.D.Pa. 2000). Upon close review of the record in this case, we find that in granting summary judgment in favor of defendant, genuine issues of material fact were overlooked by

It is FURTHER ORDERED that Defendant's Motion for Summary Judgment on Plaintiff's Breach of Contract Claim regarding Compensation for Services Provided by Plaintiff is DENIED.

It is still FURTHER ORDERED that this Court declines to exercise supplemental jurisdiction over this claim.

BY THE COURT:

J. CURTIS JOYNER, J.

this Court. Therefore, we grant reconsideration in order to correct a clear error. We find that genuine issues of material fact preclude entry of summary judgment at this time on Plaintiff's breach of contract claim regarding compensation for services performed in support of the prosecution of patent applications.

Pursuant to 28 U.S.C. § 1367(c)(3), this Court declines to exercise jurisdiction over this state law claim.

